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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,991

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Kathleen P. Bernard

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

WON, BUMSUK

ART UNIT

PAPER NUMBER

2889

MAIL DATE

DELIVERY MODE

11/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/561,991	Applicant(s) BERNARD ET AL.	
	Examiner BUMSUK WON	Art Unit 2889	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The amendment filed on 9/8/2009 has been entered.

Response to Arguments

Applicant's arguments filed on 9/8/2009 have been fully considered but they are not persuasive.

Regarding the amended claims 1, the applicant argues that the rejection under 35 USC §103(a) because: applicant's admitted prior art and Shippee (US 6,326,721) does not disclose or suggest having an insulative covering being on at least a portion of a main frame in a lamp. The examiner respectfully agrees that AAPA and Shippee does not disclose such features. However, the examiner finds that such features are widely known in the art of discharge lamp. The applicant further requests a concrete evidence as to an insulative covering being on at least a portion of a main frame in a lamp. The prior arts in the discharge lamp technologies, *inter alia*, Fromm (US 4,171,498), Knochel (US 3,780,331), Boort (US 3,484,637), Tillman (US 5,272,407), and Ramaiah (US 4,866,328), show an insulative covering being present on at least a portion of a main frame in a lamp. As noted in the previous office action, an insulative covering being on at least a portion of a main frame in a lamp is an obvious modification to the lamp disclosed by AAPA and Shippee, for the purpose of reducing the possibility of having the main frame rust during the life of the lamp thereby enhancing the life of the lamp. Therefore, the examiner maintains the rejection of the amended claim 1 under 35 USC §103(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-10, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (Applicant' Admitted Prior Art, figure 1 and paragraphs 26-30) in view of Shippee (US 6,326,721) which is cited in the IDS.

Regarding claim 1, AAPA discloses an electric lamp (figure 1) comprising, a light source capsule (10) energizeable for emitting light and including a seal (13, 14), said seal having two substantially parallel major faces and two opposing minor faces extending transversely between said major faces (paragraphs 26-30), a stem portion (4) and at least one support rod (21, 26) extending adjacent a minor face of said seal.

AAPA does not disclose said lamp has a strapless mount structure comprising a main frame portion; a first metallic support rod extending from said stem portion and fixed to said main frame portion; and a second metallic support rod engaging said dome end of said envelope and fixed to said main frame portion.

Shippee discloses an electric lamp (figure 2) including a strapless mount structure comprising a main frame portion (figure 3); a first metallic support rod (bottom portion of figure 3) extending from a stem portion (not referenced) and fixed to said main frame portion; and a second metallic support rod (top portion of figure 3) engaging a dome end of said envelope and fixed to said main frame portion (figure 2), for the

Art Unit: 2889

purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a strapless mount structure comprising a main frame portion; a first metallic support rod extending from a stem portion and fixed to said main frame portion; and a second metallic support rod engaging a dome end of said envelope and fixed to said main frame portion as disclosed by Shippee in the lamp disclosed by AAPA, for the purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

AAPA in view of Shippee does not specifically disclose an insulative covering is present on at least a portion of said main frame.

However, it is widely known in the art to have an insulative covering is on at least a portion of a frame in a lamp for the purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative covering is present on at least a portion of said main frame in the lamp disclosed by AAPA in view of Shippee, for the purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Regarding claim 2, Shippee discloses said light source capsule is electrically connected in said lamp in the absence of a field wire (figure 2). The reason for combining is same as claim 1.

Regarding claim 3, AAPA in view of Shippee does not specifically disclose said strapless mount structure is effective to reduce sodium diffusion in said lamp. However, the examiner notes the claim limitation of “the strapless mount structure being effective to reduce sodium diffusion in the lamp” does not differentiate the prior art device from the claimed device, The examiner interprets the claimed limitation at issue is an incidental property of the strapless mount structure disclosed by AAPA in view of Shippee. Therefore, absent showing unobvious difference in the structure of the device disclosed by AAPA in view Shippee, the examiner interprets the claim limitation at issue is disclosed by AAPA in view of Shippee.

Regarding claim 5, AAPA discloses said lamp is a high pressure discharge lamp (paragraph 26) and said light source capsule is a discharge vessel (11) having a press seal (13, 14) at opposing ends thereof, discharge electrodes (12) arranged within said discharge vessel, and a discharge sustaining filling (paragraph 26) in which a discharge is maintained between said discharge electrodes during lamp operation.

Regarding claim 6, AAPA discloses said lamp is a high pressure discharge lamp (paragraph 26) and said light source capsule is a discharge vessel (11) having a press seal (13, 14) at opposing ends thereof, discharge electrodes (12) arranged within said discharge vessel, and a discharge sustaining filling (paragraph 26) in which a discharge is maintained between said discharge electrodes during lamp operation.

Regarding claim 7, AAPA discloses said lamp is a high pressure discharge lamp (paragraph 26) and said light source capsule is a discharge vessel (11) having a press seal (13, 14) at opposing ends thereof, discharge electrodes (12) arranged within said

Art Unit: 2889

discharge vessel, and a discharge sustaining filling (paragraph 26) in which a discharge is maintained between said discharge electrodes during lamp operation.

Regarding claim 8, AAPA discloses a high pressure gas discharge lamp (figure 1) comprising: an outer lamp envelope (2) including a lamp stem (4) and an opposing dome end (the area where 3 is located); a light source (10) arranged generally axially within said outer lamp envelope, said light source including a discharge vessel (11) consisting of a fused silica body (paragraph 26) and having a planar press seal (13, 14) at each end thereof, an alkali-halide containing discharge sustaining filling (paragraph 26), a pair of discharge electrodes (12) within said discharge vessel body between which an arc discharge is maintained during lamp operation, and conductive lead-throughs (15, 16) extending from each electrode through the press seal respectively to the exterior of said discharge vessel, said press seal having two generally parallel major faces and two opposing minor faces extending between said major faces (paragraph 27), said discharge vessel emitting ultraviolet radiation during lamp operation (the examiner interprets this claim limitation as a generic property of the disclosed by AAPA).

AAPA does not disclose the improvement wherein said lamp has a strapless mount structure comprising a main frame portion; a first metallic support rod extending from said stem portion and fixed to said main frame portion; and a second metallic support rod engaging said dome end of said envelope and fixed to said main frame portion.

Shippee discloses an electric lamp (figure 2) including a strapless mount structure comprising a main frame portion (figure 3); a first metallic support rod (bottom portion of figure 3) extending from a stem portion (not referenced) and fixed to said main frame portion; and a second metallic support rod (top portion of figure 3) engaging a dome end of said envelope and fixed to said main frame portion (figure 2), for the purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a strapless mount structure comprising a main frame portion; a first metallic support rod extending from a stem portion and fixed to said main frame portion; and a second metallic support rod engaging a dome end of said envelope and fixed to said main frame portion as disclosed by Shippee in the lamp disclosed by AAPA, for the purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

AAPA in view of Shippee does not specifically disclose an insulative covering is present on at least a portion of said main frame.

However, it is widely known in the art to have an insulative covering is on at least a portion of a frame in a lamp for the purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative covering is present on at least a portion of said main frame in the lamp disclosed by AAPA in view of Shippee, for the

Art Unit: 2889

purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Regarding claim 9, Shippee discloses said light source capsule is electrically connected in said lamp in the absence of a field wire (figure 2). The reason for combining is same as claim 8.

Regarding claim 10, AAPA in view of Shippee does not specifically disclose said strapless mount structure is effective to reduce sodium diffusion in said lamp. However, the examiner notes the claim limitation of “the strapless mount structure being effective to reduce sodium diffusion in the lamp” does not differentiate the prior art device from the claimed device. The examiner interprets the claimed limitation at issue is an incidental property of the strapless mount structure disclosed by AAPA in view of Shippee. Therefore, absent showing unobvious difference in the structure of the device disclosed by AAPA in view Shippee, the examiner interprets the claim limitation at issue is disclosed by AAPA in view of Shippee.

Regarding claim 13, AAPA discloses a light source (figure 1, 10) of an electric lamp (figure 1) having an outer lamp envelope including a lamp stem (4) and an opposing dome end (2) and a generally planar seal (13, 14) with a pair of generally parallel major faces and a pair of minor faces extending therebetween (paragraph 27).

AAPA does not disclose the improvement wherein said lamp has a strapless mount structure comprising a main frame portion; a first metallic support rod extending from said stem portion and fixed to said main frame portion; and a second metallic

Art Unit: 2889

support rod engaging said dome end of said envelope and fixed to said main frame portion.

Shippee discloses an electric lamp (figure 2) including a strapless mount structure comprising a main frame portion (figure 3); a first metallic support rod (bottom portion of figure 3) extending from a stem portion (not referenced) and fixed to said main frame portion; and a second metallic support rod (top portion of figure 3) engaging a dome end of said envelope and fixed to said main frame portion (figure 2), for the purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have a strapless mount structure comprising a main frame portion; a first metallic support rod extending from a stem portion and fixed to said main frame portion; and a second metallic support rod engaging a dome end of said envelope and fixed to said main frame portion as disclosed by Shippee in the lamp disclosed by AAPA, for the purpose of enhancing performance of the lamp by relieving thermal stress and providing shock absorption in the lamp.

AAPA in view of Shippee does not specifically disclose an insulative covering is present on at least a portion of said main frame.

However, it is widely known in the art to have an insulative covering is on at least a portion of a frame in a lamp for the purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative covering is present on at least a portion of said main frame in the lamp disclosed by AAPA in view of Shippee, for the purpose of reducing the possibility of having the main frame rust during the life the lamp thereby enhancing the life of the lamp.

Claims 4, 11, 12, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Shippee (US 6,326,721), in further view of Boort (US 3,484,637).

Regarding claim 4, AAPA in view of Shippee does not specifically disclose the insulative sleeve comprises ceramic or quartz.

Boort discloses an electric lamp (figure) having an insulative sleeve (8) having a ceramic material (column 2, lines 20-24), for the purpose of protecting the frame within the sleeve from the environment effectively.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative sleeve having a ceramic material as disclosed by Boort in the device disclosed by AAPA in view of Shippee, for the purpose of protecting the frame within the sleeve from the environment effectively.

Regarding claim 11, AAPA in view of Shippee does not specifically disclose the insulative sleeve comprises ceramic or quartz.

Boort discloses an electric lamp (figure) having an insulative sleeve (8) having a ceramic material (column 2, lines 20-24), for the purpose of protecting the frame within the sleeve from the environment effectively.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative sleeve having a ceramic material as disclosed by Boort in the device disclosed by AAPA in view of Shippee, for the purpose of protecting the frame within the sleeve from the environment effectively.

Regarding claim 12, AAPA in view of Shippee does not specifically disclose the insulative sleeve comprises ceramic or quartz.

Boort discloses an electric lamp (figure) having an insulative sleeve (8) having a ceramic material (column 2, lines 20-24), for the purpose of protecting the frame within the sleeve from the environment effectively.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative sleeve having a ceramic material as disclosed by Boort in the device disclosed by AAPA in view of Shippee, for the purpose of protecting the frame within the sleeve from the environment effectively.

Regarding claim 14, AAPA in view of Shippee does not specifically disclose the insulative sleeve comprises ceramic or quartz.

Boort discloses an electric lamp (figure) having an insulative sleeve (8) having a ceramic material (column 2, lines 20-24), for the purpose of protecting the frame within the sleeve from the environment effectively.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an insulative sleeve having a ceramic material as disclosed by Boort in the device disclosed by AAPA in view of Shippee, for the purpose of protecting the frame within the sleeve from the environment effectively.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BUMSUK WON whose telephone number is (571)272-2713. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Minh Toan Ton can be reached on 571-272-2303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2889

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bumsuk Won/
Examiner, Art Unit 2889

/Toan Ton/
Supervisory Patent Examiner, Art Unit 2889